

TOWN BOARD MEETING
 THURSDAY, JULY 5, 2007; 7:00 P.M.
 NEW WINDSOR TOWN HALL
 NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey,
 Councilwoman Weyant, Councilwoman Biasotti

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Deputy Police Chief Hovey,
 Town Attorney Blythe, Highway Superintendent Fayó

Salute to Flag

Supervisor Green called to order the Town Board meeting and presided over same.

#1 On Agenda: Minutes

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the minutes of the Public Hearing regarding Proposed Establishment of Water District 14 and the Town Board Meeting, both held on June 6, 2007, as per the copies posted on the Town Clerk's bulletin board in the Town Hall, and same distributed to each of the Town Board members.

Roll Call: All Ayes

Motion Carried: 4-0

#2 On Agenda: Motion – Appoint Police Officers

Motion by Councilwoman Biasotti, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor appoint Brian G. Hollifield, Jeffrey M. Caldara, Steven C. McKenna and Kevin P. Moore, Jr. as Town of New Windsor Police Officers, effective July 5, 2007.

Roll Call: All Ayes

Motion Carried: 4-0

Town Clerk Deborah Green administered the oath of office to the four newly appointed police officers.

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

#3 On Agenda: Receive And File – Drainage Easement Between Normand J. And Lorraine Richard And Town Of New Windsor Affecting A Portion Of Section 73, Block 7, Lot 8

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Drainage Easement between Normand J. Richard and Lorraine Richard and the Town of New Windsor affecting a portion of Section 73, Block 7, Lot 8, dated December 22, 2006, and recorded in the Orange County Clerk's office on the 28th day of February, 2007, as File Number 20070021237.

4 On Agenda: Receive And File Inter-Municipal Agreement for Pavement Markings on Non-County Roads – 2007 Season

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the Inter-Municipal Agreement for pavement markings on non-county roads for the 2007 season.

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WATER DEPARTMENT

5 On Agenda: Receive And File Notice Of No Bids Received For Water Meters

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice that no bids were received on June 28, 2007 for water meters, radio read meter transceiver and related equipment.

**# 6 On Agenda: Motion – Authorization to Advertise for Sealed Bids –
Water Meters**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for sealed bids for water meters. Bids shall be received and publicly opened on the 26th day of July, 2007 at 10:00 a.m. (local time); at the office of the Town Clerk, 555 Union Avenue, New Windsor, New York. The Town Board reserves the right to reject any and/or all bids.

Roll Call: All Ayes

Motion Carried: 4-0

**# 7 On Agenda: Motion – Adopt Order Calling Public Hearing to Establish
Extension #2 to Water District #5 – Covington Estates**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt an Order Calling Public Hearing to be held on August 1, 2007, at 555 Union Avenue, New Windsor, New York at 7:00 o'clock p.m. to establish Extension #2 to Water District #5 (Covington Estates), in accordance with the Order attached hereto.

Roll Call: All Ayes

Motion Carried: 4-0

SANITATION DEPARTMENT

GENERAL

**# 8 On Agenda: Receive And File Financial Statement For Year Ended
December 31, 2006**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the Financial Statement for the year ended December 31, 2006 prepared by Nugent & Haeussler, P.C.

**# 9 On Agenda: Receive and File Letter of Credit #2066 – Vantage Major
Subdivision a/k/a Coach House Court, a/k/a Meadow
Ridge Subdivision**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Letter of Credit No. 2066 in the amount of \$34,700.00 for Vantage Major Subdivision a/k/a Coach House Court, a/k/a Meadow Ridge Subdivision (Planning Board #01-55), dated June 5, 2007.

**# 10 On Agenda: Receive and File Deed – County of Orange to Town of New
Windsor (Carleton Circle)**

Hearing no objection, the Town Board of the Town of New Windsor receive and file the deed to Section 25, Block 5, Lot 52 (Carlton Circle) from County of Orange to the Town of New Windsor recorded in the office of the Orange County Clerk on April 3, 2007, in Liber 12403 at Page 1894.

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**# 11 On Agenda: Receive And File Non-Exclusive Easement For Public Sewer
Temporary Construction Easement And Termination Of
Existing Sewer Easement (Quick Chek)**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Non-Exclusive Easement for Public Sewer, Temporary Construction Easement and Termination of Existing Sewer Easement, dated April 28, 2006, between Frank P. Antonelli, Sr., et al and Town of New Windsor, recorded in the Orange County Clerk's office on the 5th day of October, 2006, as File #20060108537.

**# 12 On Agenda: Motion – Authorize Final Payment - Longinott & Sons, Inc.
- Mt. Airy Sports Complex Pavilion**

Motion by Councilwoman Biasotti, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize final payment in the sum of \$32,365.60 to Longinott and Sons, Inc., for construction of a pavilion at Mt. Airy Sports Complex, pursuant to recommendation of McGoey, Hauser, & Edsall Consulting Engineers, P. C., dated June 19, 2007.

Roll Call: All Ayes

Motion Carried 4-0

**# 13 On Agenda: Motion - Reduce Performance Bond – Mt. Airy Estates Major
Subdivision – Phase VII**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize reduction of the performance bond for Mt. Airy Estates Major Subdivision - Phase VII - from \$904,668.00 to \$170,791.00 as recommended by McGoey, Hauser and Edsall Consulting Engineers, P.C. via correspondence dated June 26, 2007.

Roll Call: All Ayes

Motion Carried 4-0

**# 14 On Agenda: Motion – Adopt Resolution Of Support And Concurrence
With Newburgh Stewart Empire Zone Regionally Significant
Project Application - Café Spice GCT, Inc.**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the following resolution:

Whereas, New York State has created the Economic Development Zone Program, now known as the Empire Zones Program, to encourage industrial and commercial development in select municipalities across the State; and,

Whereas, the Town of New Windsor, as an eligible municipality in conjunction with the County of Orange, received designation of an Empire Zone and was re-designated as distinct and separate contiguous areas pursuant to Section 957 (d) of the General Municipal Law; and,

Whereas, New York State has amended the Zones program to increase benefits and allow additional areas to be deemed as Regionally Significant Projects; and,

Whereas, the County of Orange and the Town of New Windsor intend to amend the Newburgh-Stewart Empire Zone boundaries to encourage industrial and commercial development and to allow for the designation of lands in the Town of New Windsor for a Regionally Significant Project; and,

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Whereas, Café Spice GCT, Inc. located at 677 Little Britain Road in the Town of New Windsor, New York meets the criteria of 957 (d) of the General Municipal Law as a regionally significant project by creating fifty (50) new manufacturing jobs for inclusion within the Newburgh-Stewart Empire Zone in an area outside the distinct and separate contiguous areas; and,

Whereas, the Town of New Windsor wishes to support and concur with the Empire Zone designation of Section 4, Block 1, and Lot 28.12 and portions thereof, as a Regionally Significant Project on behalf of Café Spice GCT, Inc.;

Now, Therefore, Be It Resolved that the Town Board, in its capacity as governing body of the Town of New Windsor, does hereby support and concur with the County of Orange to include a manufacturing facility for Café Spice GCT, Inc., to be located at 677 Little Britain Road in the Town of New Windsor, New York (SBL 4-1-28.12) as described within the attached Local Law 13 of 2007, dated May 3, 2007. Town of New Windsor

Roll Call: All Ayes

Motion Carried 4-0

**# 15 On Agenda: Motion – Adopt Resolution Of Support And Concurrence
With Newburgh Stewart Empire Zone Regionally Significant
Project Application - Newburgh Metals, Inc.**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following resolution:

Whereas, New York State has created the Economic Development Zone Program, now known as the Empire Zones Program, to encourage industrial and commercial development in select municipalities across the State; and,

Whereas, the Town of New Windsor, as an eligible municipality in conjunction with the County of Orange, received designation of an Empire Zone and was re-designated as distinct and separate contiguous areas pursuant to Section 957 (d) of the General Municipal Law; and,

Whereas, New York State has amended the Zones program to increase benefits and allow additional areas to be deemed as Regionally Significant Projects; and,

Whereas, the County of Orange and the Town of New Windsor intend to amend the Newburgh-Stewart Empire Zone boundaries to encourage industrial and commercial development and to allow for the designation of lands in the Town of New Windsor for a Regionally Significant Project; and,

Whereas, Newburgh Metals Inc. located at 1126 River Road, Town of New Windsor, New York meets the criteria of 957 (d) of the General Municipal Law as a regionally significant project by creating fifty (50) new manufacturing jobs for inclusion within the Newburgh-Stewart Empire Zone in an area outside the distinct and separate contiguous areas; and,

Whereas, the Town of New Windsor wishes to support and concur with the Empire Zone designation of Section 9, Block 1, and Lot 96.1, or portions thereof, as a Regionally Significant Project on behalf of Newburgh Metals, Inc.;

Now, Therefore, Be It Resolved that the Town of New Windsor Town Board, in its capacity as governing body of the Town of New Windsor, does hereby support and concur with Orange County to include a manufacturing facility for Newburgh Metals Inc. to be located at 1126 River Road in the Town of New Windsor, New York (SBL 9-1-96.1) as described within the attached Local Law 6 of 2007, dated January 31, 2007.

Roll Call: All Ayes

Motion Carried 4-0

**# 16 On Agenda: Receive And File Application For Special Use Permit To Build
Senior Housing - Vesley Estates At Stephen's Woods - Fusco
Engineering & Land Surveying, PC**

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Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk an application for a Special Use Permit for the construction of senior housing at Vesley Estates at Stephen's Woods, Section 32, Block 2, Lot 15.

**# 17 On Agenda: Motion – Call Public Hearing And Authorize Town Clerk
To Advertise Proposed Amendment To Chapter 280-5(C) Of
Vehicle And Traffic Law**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor call a Public Hearing to be held on August 1, 2007, at 7:00 p.m., in Town Hall, 555 Union Avenue, New Windsor, New York, and authorize the Town Clerk to advertise for same regarding the proposed change to Chapter 280-5(C) of the Vehicle and Traffic Law of the Town of New Windsor.

Roll Call: All Ayes

Motion Carried 4-0

18 On Agenda: Receive And File Bids For Surplus Vehicles/Equipment

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the bids for surplus town vehicles/equipment received and publicly opened on June 25, 2007.

19 On Agenda: Motion – Award Bids – Surplus Vehicles And Equipment

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor award the bids for the following surplus Town of New Windsor vehicles/equipment as follows:

2002 Ford Crown Victoria	VIN #2FAFP71W02X128735
to Robin's Taxi, 80 Wisner Ave., Middletown, New York 10940 for \$4,055.00, and	
1996 Mercury Sable	VIN #1MELM50OUCTA650520
1988 Diamond Reo Giant	VIN #1D9RC3189J1009003
1985 Chevrolet Pick Up	VIN #2GCCC14H3F1183840
1972 Massey Ferguson Tractor	VIN #1687006212
to Liberty Motors, Inc., 1705 Kennedy Blvd., Jersey City, New Jersey 07305 for \$2,287.96.	

Payment shall be made by cash, certified check or bank check, made payable to the "Town of New Windsor."

Roll Call: All Ayes

Motion Carried 4-0

20 On Agenda: Officials Reports

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of May 2007
Fire Prevention	Month of June 2007
Town Justice Suttlehan	Month of June 2007
Town Justice Thorpe	Month of June 2007
Receiver of Taxes (Water, Sewer, Garbage)	Month of June 2007
Recreation Department	Month of June 2007
Town Clerk	Month of June 2007

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21 On Agenda: Public Forum

Supervisor Green asked if any of the Town Board members had any comments they wished to make and then opened the public forum portion of the meeting.

William Steidle asked where the senior citizen project mentioned in item 16 on the agenda was going to be located. Supervisor Green said it was off of Moore's Hill Road however he could not be more specific as he just received the application and had not had a chance to read it over.

Mr. Steidle then asked what the proposed changes to the Vehicle and Traffic law were. Supervisor Green said that they were for the addition of several three-way stop signs.

Leo Braun asked if the proposed water district extension was located on Route 300 and wasn't a public hearing held already on that. Supervisor Green said that he didn't think a public hearing had been held on that project yet.

Supervisor Green clarified item numbers 14 and 15 on the agenda relating to the significant project applications. He said that the local laws that were mentioned in the resolutions were Orange County local laws, not Town of New Windsor local laws and that the county has to adopt a local law to put someone in an Empire Zone or any regionally significant project.

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

Roll Call: All Ayes

Motion Carried: 4-0

22 On Agenda: Adjourn

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 7:25 p. m.

Roll Call: All Ayes

Motion Carried: 4-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc